

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Group Art Unit: 1743

Johnson et al.) Examiner: Starsiak, J.

Serial No.: To be assigned)

Filed: February 13, 2002 (herewith))

For: CAPILLARY ELECTROPHORESIS METHOD)
AND APPARATUS FOR REDUCING PEAK)
BROADENING ASSOCIATED WITH THE)
ESTABLISHMENT OF AN ELECTRIC FIELD)

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

EL 31762265365 Express Mail Number

February 13, 2002 Date of Deposit

Liberi Guzman Name of Depositing Party

Liberi Guzman Signature of Depositing Party

JC971 U.S. PRO
10/075404
02/13/02

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

(a) accompanies a new patent application submitted herewith.

(b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.

(c) as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.

It is understood that the above information is not to be construed as a statement that the application is not entitled to the filing date or PCT national stage date of entry filing but, as far as is known to the undersigned,

prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

(f) is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the item(s) in Substitute form 1449A PTO is supplied herewith:

each none only those listed below:

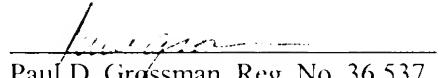
Those patent(s) or publication(s) listed in the attached Substitute form 1449A/PTO are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. 09/361,485, filed July 26, 1999 and relied upon in this application for an earlier filing date under 35 USC §120.

or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: February 13, 2002


Paul D. Grossman, Reg. No. 36,537
Attorney for Applicants

Correspondence Address

Customer Number 22896
Applied Biosystems Division
PE Corporation (NY)
850 Lincoln Centre Drive
Foster City, CA 94404
(650) 638-5846 (Phone)
(650) 638-6677 (Fax)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet : of :

Complete if Known

Application Number

Filing Date

First Named Inventor

Group Art Unit

Examiner Name

Attorney Docket No.

Digitized by srujanika@gmail.com

1C971 U.S. PTO
10/075404

02/13/02

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|-------------------------|---------------------|----------------------|---|--|--|----------------|
| | | Office ³ | Number ⁴ | Kind Code (if known) | | | | |
| | 09 | EPO | 0 329 341 | A2 | Applied Biosystems | 08-23-1989 | | |
| | 10 | EPO | 0 362 426 | A2 | Applied Biosystems | 08-16-1990 | | |
| | 11 | WO | 97/24610 | A1 | Novartis AG | 07-10-1997 | | |
| | 12 | WO | 98/10274 | A1 | The Research Foundation of State University of New York | 3-12-1998 | | |
| | 13 | WO | 01/07904 | A1 | The Perkin-Elmer Corp. | 07-26-2000 | | |

¹ Unique citation designation number – see attached kinds of U.S. Patent Documents – Enter the Office that issued the document, by the two-letter code APT Standard ST 31. ² For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ³ Kind of document by the appropriate symbols as indicated on the document under APT Standard ST 15, if possible. ⁴ Applicant is placed in the order of filing of the application.

| | | | | | |
|--|---|----|---|--------------------------|------------------|
| Substitute for form 1449A/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Application Number | 10/144,941 |
| (Use as many sheets as necessary) | | | | Filing Date | February 1, 2001 |
| Sheet | 2 | of | 2 | First Named Inventor | John P. Cimino |
| | | | | Group Art Unit | 1742 |
| | | | | Examiner Name | Mark, J. |
| | | | | Attorney Docket No. | 410-421 |

| OTHER ART - NON PATENT LITERATURE DOCUMENTS | | |
|--|----------|--|
| Examiner Initials* | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published |
| | 14 | KEVIN D. ALTRIA, "Chapter 6: Optimization of Precision in Quantitative Analysis," <i>Methods in Molecular Biology</i> , Vol. 52:61-70 Capillary Electrophoresis (1996). |
| | 15 | HUAN-TJUNG CHANG and EDWARD S. YEUNG, "Voltage Programming in Capillary Zone Electrophoresis," <i>Journal of Chromatography</i> , 632:143-155 (1993). |
| | 16 | HIDEKO INOUE et al., "Enhanced Separation of DNA Sequencing Products by Capillary Electrophoresis Using a Stepwise Gradient of Electric Field Strength," <i>Journal of Chromatography A</i> , 602:179-184 (1993). |
| | 17 | J.H. KNOX and K.A. McCORMACK, "Volume Expansion and Loss of Sample Due to Initial Self-Heating in Capillary Electrophoresis (CES) Systems," <i>Chromatographia</i> , Vol. 38, No. 5/6, pp. 279-282 (1994). |
| | 18 | BILLY A. WILLIAMS and GYULA VIGH, "Effect of the Initial Potential Ramp on the Accuracy of Electrophoretic Mobilities in Capillary Electrophoresis," <i>Analytical Chemistry</i> , 67:(17)3079-3081 (1995). |
| | | |
| | | |
| | | |

| | |
|-------------------|------------|
| Examiner Initials | Date |
| Signature | Considered |

EXAMINER: Initials of the patent examiner who initiated or continued communication with applicant. Draw the initials of the examiner in the space provided. Consider copy of this form with next communication to applicant.

REMARKS: Initials of the patent examiner who initiated or continued communication with applicant. Draw the initials of the examiner in the space provided. Consider copy of this form with next communication to applicant.